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**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF WASHINGTON**

In re:

GIGA WATT, Inc., a Washington  
corporation,  
  
Debtor.

Case No. 18-03197 FPC 11

The Honorable Frederick P. Corbit

**NOTICE OF CHAPTER 11  
TRUSTEE'S MOTION FOR  
ORDER: (I) APPROVING ML AND  
EDH SETTLEMENT AND  
GRANTING RELATED RELIEF  
AND (II) SHORTENING TIME  
THEREON**

**Telephonic Hearing**

Date: October 6, 2020

Time: 10:30 a.m. PT

Telephone: (509) 353-3183

PLEASE TAKE NOTICE THAT Mark D. Waldron, in his official  
capacity as the Chapter 11 Trustee (the "Trustee") in the above-captioned case,  
has filed a motion (the "Motion") to approve a settlement (the "Settlement")

Notice of Ch. 11 Trustee's  
Motion for Order (i) Approving  
ML and EDH Settlement, etc. – Page 1

1 Agreement” or “Settlement”) with Ryan Oster, Giga Plex LLC, MLDC 1 LLC,  
2 Q5 Plex, LLC, and East Wheeler Development LLC (collectively and  
3 individually, the “ML Landlords”) and (iii) EcoDiversified Holdings, Inc.  
4 (“Diversified”). The Settlement relates to the Debtor’s facility in Moses Lake,  
5 Washington (the “ML Facility”) provides for the payment by the estate to the ML  
6 Landlords of the sum of \$169,128.43 in exchange for a full release of all claims,  
7 including the release of an administrative claim that is not less than  
8 \$1,156,764.03, consisting of administrative rent and charges for the post-petition  
9 use of electricity, and the release of a pre-petition claim asserted by the ML  
10 Landlords in the amount of \$255,265.47. The Trustee, the ML Landlords and  
11 Diversified will each mutually release the other of all claims arising from the  
12 agreements between them, including those entered into during the bankruptcy  
13 case.

14       The Settlement will reduce the estate’s liability by approximately \$1 million.  
15 The Order approving the Settlement becomes effective immediately upon entry on  
16 the Court’s docket. The Motion and the supporting memorandum and declaration  
17 are located on the Court’s docket and may be obtained from the Court clerk. **A**  
18 **hearing will be held on the Motion on October 6, 2020 at 10:30 a.m. PT by**  
19 **telephone, 503-353-318. Any objection to the Settlement must be served on**  
20 **undersigned counsel and filed with the Court by October 2, 2020. The**

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23 Notice of Ch. 11 Trustee’s  
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25 ML and EDH Settlement, etc. – Page 2

1 Settlement may be approved without further notice unless a written objection is  
2 timely served on undersigned counsel and timely filed with the Court.

3 **PLEASE TAKE FURTHER NOTICE THAT** the Trustee has asked to  
4 shorten the time for objecting to and hearing the Motion pursuant to 11 U.S.C.  
5 § 105, Rule 9006 of the Federal Rules of Bankruptcy Procedure and Rule 2002-1  
6 of the Local Bankruptcy Rules of the above-captioned Court upon thirteen (13)  
7 days' notice and without three days added for mailing. **Any objection to the**  
8 **request to shorten time may be made at the Hearing.** Shortened time is  
9 necessary because the ML Landlords wish to recover the premises as soon as  
10 possible so that they may mitigate damages and re-let the premises.

11 Dated: September 23, 2020

POTOMAC LAW GROUP PLLC

12 By: /s/ Pamela M. Egan  
13 Pamela M. Egan (WSBA No. 54736)

14 *Attorneys for Mark D. Waldron, Chapter 11*  
15 *Trustee*

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